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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
YEH, EDITH M

ART UNIT	PAPER NUMBER
2634	7

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/415,679	Applicant(s) CHEN, XI	
	Examiner Edith M Yeh	Art Unit 2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 October 1999* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 October 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

It suggest to delete the "the present invention is disclosed" in the first sentence and rewrite the first sentence as " The present invention is/regards a transceiver....." or the like; and delete the "disclosed" in the last sentence and rewrite the last sentence as "The present invention in yet another embodiment of a method..." or the like.

Claim Objections

2. Claim 9 is objected to because of the following informalities: The term "said transmitter pulse subcircuit" does not have antecedence, add its antecedence before citing it or change it to "the transmitter pulse subcircuit". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 2-4 & 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Crayford (U.S. Patent 5404544).

Regarding claims 2 & 21, Crayford discloses a transceiver circuit for transmitting and receiving industry-standard data signals (column 3 line 12-17, lines 34-36, FIG.1-2) comprising: a transmitter subcircuit, which is a transmitter subcircuit means, transmitting a pulse which does not conform to industry-standard pulse (column 4 lines 4-6, 15-17, 24-28, FIG.-5B) during powered-down mode (column 4 lines 4-13) for indicating a live transceiver (column 3 lines 44-51), and a receiver subcircuit (FIG.-5B) that is a receiver subcircuit means; the transmitter and receiver has its own power supply (column 7 line 68-column 8 line 5) and means for activation and deactivation (column 4 lines 13-17, column 5-6 Table:Bit 7 lines 9-14 & 21-24, column 8 lines 6-9, 13-17, column 7 lines 54, 102 & 104 FIG.-5A).

Regarding claims 3 & 4, Crayford discloses the pulse is a link pulse (column 3 lines 47-48, FIG.-2 & -3) and is a minimally powered pulse.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 5-20, & 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crayford (U.S. Patent 5404544) in view of Wakeley et al. (U.S. Patent 6198727 B1).

Regarding claims 5, Crayford does not specify the pulse conforming to an industry-standard pulse, however Wakeley et al. teach the pulse conforming to an industry-standard pulse (column 1 lines 49-55, column 4 lines 37-48). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the Wakeley et al.'s teaching implemented in Crayford's system to link automatically to all 10Base-T/100Base-TX partners regardless of their capability (column 1 lines 7-11, column 3 lines 64-column 4 lines 2).

Regarding claims 6, Crayford does not specify the transceiver entering into auto-negotiation mode to identify the received signal, however Wakeley et al. teach the auto-negotiation process (column 3 lines 49-56). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the Wakeley et al.'s teaching implemented in Crayford's system to link automatically to all 10Base-T/100Base-TX partners regardless of their capability (column 1 lines 7-11, column 3 lines 64-column 4 lines 2).

Regarding claims 7, 10 & 22, Crayford does not specify the receiver having a media independent interface, however Wakeley et al. teach the media independent interface in the LAN layers (18 FIG. 1). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to cooperate the Wakeley et al.'s teaching in Crayford's system for the schematic detail of the LAN OSI reference model and for receiving signal from the network via the interface.

Regarding claim 8, Crayford discloses the receiver upon receiving activity (column 4 lines 24-28) activating the transceiver into power-on mode (column 4 lines 28-30 & 32-36).

Regarding claim 9, Crayford discloses the transceiver in power-down mode powering-down all subcircuits except the transmitter pulse subcircuit (column 2 lines 33-36, column 3 lines

44-48) and the media independent interface subcircuit (column 2 lines 18-22, column 3 lines 48-51).

Regarding claims 11 & 12, inherent the limitations of claim 10, Crayford discloses the pulse is a link pulse (column 3 lines 47-48, FIG.-2 & -3) and is a minimally powered pulse.

Regarding claim 13, inherent the limitations of claim 10, Crayford does not specify the pulse conforming to an industry-standard pulse, however Wakeley et al. teach the pulse conforming to an industry-standard pulse (column 1 lines 49-55, column 4 lines 37-48). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the Wakeley et al.'s teaching implemented in Crayford's system to link automatically to all 10Base-T/100Base-TX partners regardless of their capability (column 1 lines 7-11, column 3 lines 64-column 4 lines 2).

Regarding claim 14, inherent the limitations of claim 13, Crayford does not specify the transceiver entering into auto-negotiation mode to identify the received signal, however Wakeley et al. teach the auto-negotiation process (column 3 lines 49-56). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the Wakeley et al.'s teaching implemented in Crayford's system to link automatically to all 10Base-T/100Base-TX partners regardless of their capability (column 1 lines 7-11, column 3 lines 64-column 4 lines 2).

Regarding claims 15, inherent the limitations of claim 10, Crayford discloses the receiver upon receiving activity (column 4 lines 24-28) activating the transceiver into power-on mode (column 4 lines 28-30 & 32-36).

Regarding claims 16, inherent the limitations of claim 10, Crayford discloses the transceiver in power-down mode powering-down all subcircuits except the transmitter pulse

subcircuit (column 2 lines 33-36, column 3 lines 44-48) and the media independent interface subcircuit (column 2 lines 18-22, column 3 lines 48-51).

Regarding claims 17 & 23, Crayford has all subject matter claimed except the media independent interface, however Wakeley et al. teach the media independent interface in the LAN layers (18 FIG. 1). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to cooperate the Wakeley et al.'s teaching in Crayford's system for the schematic detail of the LAN OSI reference model and for receiving signal from the network via the interface.

Regarding claim 18, Crayford does not specify the pulse conforms to an industry-standard pulse, however Wakeley et al. teach the pulse conforming to an industry-standard pulse (column 1 lines 49-55, column 4 lines 37-48). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the Wakeley et al.'s teaching implemented in Crayford's system to link automatically to all 10Base-T/100Base-TX partners regardless of their capability (column 1 lines 7-11, column 3 lines 64-column 4 lines 2).

Regarding claim 19, Crayford does not specify the transceiver entering into auto-negotiation mode to identify the received signal, however Wakeley et al. teach the auto-negotiation process (column 3 lines 49-56). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the Wakeley et al.'s teaching implemented in Crayford's system to link automatically to all 10Base-T/100Base-TX partners regardless of their capability (column 1 lines 7-11, column 3 lines 64-column 4 lines 2).

Regarding claims 20, inherent the limitations of claim 17, Crayford discloses the transceiver in power-down mode powering-down all subcircuits except the transmitter pulse

subcircuit (column 2 lines 33-36, column 3 lines 44-48) and the media independent interface subcircuit (column 2 lines 18-22, column 3 lines 48-51).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edith M Yeh whose telephone number is 703-305-3416. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4800.

Edith Yeh
March 20, 2003

STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
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